

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RONALD SHAMON and)
PATRICIA SHAMON,)
)
Plaintiffs)
) Civil Action No. 04-11674-WGY
v.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)
)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the parties to the above-captioned action, by their respective attorneys, hereby stipulate and agree that Count II (Loss of Consortium) by Plaintiff Patricia Shamon in the above-captioned action shall be dismissed with prejudice and without the award of attorneys' fees and costs. The parties further stipulate and agree that all rights of appeal are waived. This stipulation of dismissal is without prejudice to the rights of Plaintiff Ronald Shamon to proceed against the Defendant United States of America under Count I (negligence).

Respectfully submitted,

RONALD SHAMON and
PATRICIA SHAMON,

By their attorneys,

/s/ Halye A. Sugarman

Michael R. Perry (BBO #555300)
Halye A. Sugarman (BBO #646773)
HANIFY & KING
Professional Corporation
One Beacon Street
Boston, MA 02108
(617) 423-0400

Dated: June 10, 2005
431966

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Damian W. Wilmot

Damian W. Wilmot
Assistant U.S. Attorney
Moakley Federal Courthouse
One Courthouse Way, Suite 9200
Boston, MA 02110
(617) 748-3398